

other protection from liability under applicable law accorded to such PSAP, employees, vendors, agents, and authorizing government entity, respectively, in matters related to 9-1-1 communications that are not wireless.

(d) Basis for enactment

This section is enacted as an exercise of the enforcement power of the Congress under section 5 of the Fourteenth Amendment to the Constitution and the power of the Congress to regulate commerce with foreign nations, among the several States, and with Indian tribes.

(Pub. L. 106-81, § 4, Oct. 26, 1999, 113 Stat. 1288.)

CODIFICATION

Section was enacted as part of the Wireless Communications and Public Safety Act of 1999, and not as part of the Communications Act of 1934 which comprises this chapter.

§ 615b. Definitions

As used in this Act:

(1) Secretary

The term “Secretary” means the Secretary of Transportation.

(2) State

The term “State” means any of the several States, the District of Columbia, or any territory or possession of the United States.

(3) Public safety answering point; PSAP

The term “public safety answering point” or “PSAP” means a facility that has been designated to receive 9-1-1 calls and route them to emergency service personnel.

(4) Wireless carrier

The term “wireless carrier” means a provider of commercial mobile services or any other radio communications service that the Federal Communications Commission requires to provide wireless 9-1-1 service.

(5) Enhanced wireless 9-1-1 service

The term “enhanced wireless 9-1-1 service” means any enhanced 9-1-1 service so designated by the Federal Communications Commission in the proceeding entitled “Revision of the Commission’s Rules to Ensure Compatibility with Enhanced 9-1-1 Emergency Calling Systems” (CC Docket No. 94-102; RM-8143), or any successor proceeding.

(6) Wireless 9-1-1 service

The term “wireless 9-1-1 service” means any 9-1-1 service provided by a wireless carrier, including enhanced wireless 9-1-1 service.

(7) Emergency dispatch providers

The term “emergency dispatch providers” shall include governmental and nongovernmental providers of emergency dispatch services.

(Pub. L. 106-81, § 6, Oct. 26, 1999, 113 Stat. 1289.)

REFERENCES IN TEXT

This Act, referred to in text, is Pub. L. 106-81, Oct. 26, 1999, 113 Stat. 1286, known as the Wireless Communications and Public Safety Act of 1999, which enacted sections 615 to 615b of this title, amended sections 222 and

251 of this title, and enacted provisions set out as notes under sections 609 and 615 of this title. For complete classification of this Act to the Code, see Short Title of 1999 Amendments note set out under section 609 of this title and Tables.

CODIFICATION

Section was enacted as part of the Wireless Communications and Public Safety Act of 1999, and not as part of the Communications Act of 1934 which comprises this chapter.

CHAPTER 6—COMMUNICATIONS SATELLITE SYSTEM

SUBCHAPTER I—GENERAL PROVISIONS

Sec.

701. Congressional declaration of policy and purpose.
- (a) Policy.
 - (b) Availability of telecommunication services.
 - (c) Private enterprise; access; competition.
 - (d) Domestic use; additional systems.

702. Definitions.

SUBCHAPTER II—FEDERAL COORDINATION, PLANNING, AND REGULATION

721. Implementation of policy.
- (a) Executive functions; review; agency coordination; supervision of foreign relationships; compatibility with domestic and foreign facilities.
 - (b) Omitted.
 - (c) Commission functions; discrimination; just and reasonable charges, classifications, practices, regulations and other terms and conditions; allocation of facilities; technical approval; construction and operation authorizations; rules and regulations.

SUBCHAPTER III—COMMUNICATIONS SATELLITE CORPORATION

731. Creation of corporation.
732. Applicable laws.
- 733 to 735. Omitted.

SUBCHAPTER IV—MISCELLANEOUS PROVISIONS

741. Common carrier status of corporation; laws applicable to corporation; common carrier activity; conflict of laws.
742. Foreign business negotiations of corporation; notice to Department of State; advice and assistance from Department of State.
743. Sanctions.
- (a) Petition of Attorney General for equitable relief; venue.
 - (b) Punishment, liability or sanction under other provisions.
 - (c) Duty of compliance with provisions of chapter and rules and regulations.
744. Reports to Congress.

SUBCHAPTER V—INTERNATIONAL MARITIME SATELLITE TELECOMMUNICATIONS

- 751, 752. Omitted.
753. Implementation of policy.
- (a) Administrative functions; agency coordination; spectrum and orbital space use; compatibility with domestic and foreign facilities.
 - (b) Executive functions; supervision and instructions for foreign relationships and activities.
 - (c) Omitted.
 - (d) Commission regulatory instructions; conflicting and prevailing instructions of President.

Sec.

754 to 756. Repealed.

757. Definitions.

SUBCHAPTER VI—COMMUNICATIONS
COMPETITION AND PRIVATIZATIONPART A—ACTIONS TO ENSURE PRO-COMPETITIVE
PRIVATIZATION

761. Federal Communications Commission licensing.
- (a) Licensing for separated entities.
 - (b) Licensing for INTELSAT, Inmarsat, and successor entities.
 - (c) Additional considerations in determinations.
 - (d) Independent facilities competition.
- 761a. Incentives; limitation on expansion pending privatization.
- (a) Limitation.
 - (b) Orbital location incentives.

PART B—FEDERAL COMMUNICATIONS COMMISSION
LICENSING CRITERIA: PRIVATIZATION CRITERIA

763. General criteria to ensure a pro-competitive privatization of INTELSAT and Inmarsat.
- 763a. Specific criteria for INTELSAT.
- 763b. Specific criteria for INTELSAT separated entities.
- 763c. Specific criteria for Inmarsat.
- 763d. Encouraging market access and privatization.
- (a) NTIA determination.
 - (b) Imposition of cost-based settlement rate.
 - (c) Settlements policy.

PART C—DEREGULATION AND OTHER STATUTORY
CHANGES

765. Access to INTELSAT.
- (a) Access permitted.
 - (b) Rulemaking.
 - (c) Contract preservation.
- 765a. Signatory role.
- (a) Limitation on signatories.
 - (b) Clarification of privileges and immunities of COMSAT.
 - (c) Parity of treatment.
- 765b. Elimination of procurement preferences.
- 765c. ITU functions.
- (a) Technical coordination.
 - (b) ITU notifying administration.
- 765d. Termination of provisions of this chapter.
- 765e. Reports to Congress.
- (a) Annual reports.
 - (b) Contents of reports.
- 765f. Satellite auctions.
- 765g. Exclusivity arrangements.
- (a) In general.
 - (b) Exception.

PART D—NEGOTIATIONS TO PURSUE PRIVATIZATION

767. Methods to pursue privatization.

PART E—DEFINITIONS

769. Definitions.
- (a) In general.
 - (b) Common terminology.

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in section 902 of this title; title 26 sections 168, 883.

SUBCHAPTER I—GENERAL PROVISIONS

§ 701. Congressional declaration of policy and purpose**(a) Policy**

The Congress declares that it is the policy of the United States to establish, in conjunction

and in cooperation with other countries, as expeditiously as practicable a commercial communications satellite system, as part of an improved global communications network, which will be responsive to public needs and national objectives, which will serve the communication needs of the United States and other countries, and which will contribute to world peace and understanding.

(b) Availability of telecommunication services

The new and expanded telecommunication services are to be made available as promptly as possible and are to be extended to provide global coverage at the earliest practicable date. In effectuating this program, care and attention will be directed toward providing such services to economically less developed countries and areas as well as those more highly developed, toward efficient and economical use of the electromagnetic frequency spectrum, and toward the reflection of the benefits of this new technology in both quality of services and charges for such services.

(c) Private enterprise; access; competition

In order to facilitate this development and to provide for the widest possible participation by private enterprise, United States participation in the global system shall be in the form of a private corporation, subject to appropriate governmental regulation. It is the intent of Congress that all authorized users shall have non-discriminatory access to the system; that maximum competition be maintained in the provision of equipment and services utilized by the system; that the corporation created under this chapter be so organized and operated as to maintain and strengthen competition in the provision of communications services to the public; and that the activities of the corporation created under this chapter and of the persons or companies participating in the ownership of the corporation shall be consistent with the Federal antitrust laws.

(d) Domestic use; additional systems

It is not the intent of Congress by this chapter to preclude the use of the communications satellite system for domestic communication services where consistent with the provisions of this chapter nor to preclude the creation of additional communications satellite systems, if required to meet unique governmental needs or if otherwise required in the national interest.

(Pub. L. 87-624, title I, §102, Aug. 31, 1962, 76 Stat. 419.)

TERMINATION OF SECTION

Section to cease to be effective on the effective date of a Commission order determining under section 761(b)(2) of this title that INTELSAT privatization is consistent with criteria in sections 763 and 763a of this title, see section 765d(4) of this title.

REFERENCES IN TEXT

The Federal antitrust laws, referred to in subsec. (c), are classified generally to chapter 1 (§1 et seq.) of Title 15, Commerce and Trade.

SHORT TITLE OF 2003 AMENDMENT

Pub. L. 108-39, §1, June 30, 2003, 117 Stat. 835, provided that: "This Act [amending section 763 of this title] may